

An
Bord
Pleanála

Board Direction
BD-018292-24
ABP-320287-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/11/2024.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000, as amended. The Board also decided, based on the Reasons and Considerations set out that the planning authority be directed, as follows:

Attach condition number 3

Reasons and Considerations

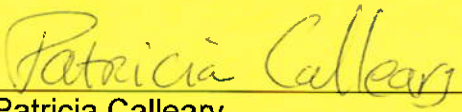
The Board that the scale, form and massing of the house in this backland residential setting within the back garden of an existing single dormer design house site, would result in an unacceptable overbearing impact and indirect overlooking on the adjoining properties and onto the host house and would injure the residential amenity currently enjoyed by these properties, including the use of their rear private amenity space. This would be contrary to the provisions of Section 15.13.4 of the Dublin City Development Plan 2022-2028 and contrary to the proper planning and sustainable development of the area.

Nonetheless, the Board was satisfied that this could be adequately addressed by the condition, No.3, attached by the Planning Authority in this instance, requiring revisions to the design, to form a single storey house response.

Note:

The Board noted the inspector's recommendation to omit Condition No.3 that was attached by the planning authority and to instead attach a new condition requiring opaque glazing on the southern elevation of the proposed house. The Board did not concur that this alone would satisfactorily address its remaining concerns regarding bulk, form and massing being injurious to the adjoining residential amenity, having particular regard to the specific location of the proposed dwelling in the back garden of the host house and its interrelationship with the host house and immediately adjoining houses including their rear gardens that serve as private amenity spaces.

Board Member:


Patricia Callear

Date: 22/11/2024